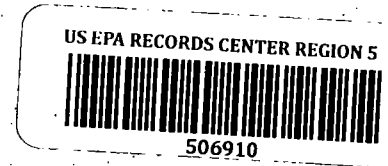


UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
FOURTH DIVISION



United States of America,

File Civ. 4-80-469

Plaintiff,

and

The State of Minnesota, by its  
Attorney General Warren Spannaus,  
its Department of Health, and its  
Pollution Control Agency,

Plaintiff-Intervenor,

ANSWER OF PHILIPS  
INVESTMENT CO. TO  
INTERVENOR'S COMPLAINT

vs.

Reilly Tar & Chemical Corporation,  
Housing and Redevelopment Authority  
of St. Louis Park, Oak Park Village  
Associates, Rustic Oak Condominium,  
Inc., and Philips Investment Co.,

Defendants.

NOW COMES DEFENDANT, Philips Investment Co., and for its  
Answer to the Complaint of the State of Minnesota, states and  
alleges:

1. Admits that Defendant Philips Investment Co. purchased  
Lot 1, Block 6, Oak Park Village from the St. Louis Park Housing  
& Redevelopment Authority, in January 1980, and on information  
and belief admits that said property was part of the Reilly Tar  
site.

2. That it has insufficient knowledge or information to  
admit or deny the balance of the allegations of Intervenor's  
Complaint, and therefore denies the same and puts Intervenor  
to its proof thereof.

3. That said Complaint fails to state a claim upon which  
relief can be granted.

4. Denies that this Court has jurisdiction as alleged, or under 42 U.S.C. §6973, or that it has pendent jurisdiction of Counts 2 through 5 of Intervenor's Complaint.

5. That in the event any damage is caused to Plaintiff's property by virtue of any investigations, studies, repairs, clean-up, restoration, or other activities in connection with this action, that this answering Defendant will be appropriately compensated therefor.

WHEREFORE, Defendant, Philips Investment Co. prays that Plaintiff and Intervenor take nothing by its pretended cause of action, that it be reimbursed for any damage caused to its property, and that it have judgment of its costs and disbursements herein.

PETERSON, ENGBERG & PETERSON



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Dated: December 23, 1980.